

REMARKS

Claims 1-4, 6-9, 11 and 13-15 are pending. By this response, the claims 1, 11, 13 and 14 are amended and claim 5 canceled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Interview

Applicant appreciates the courtesies extended to Applicant's representative during the interview conducted on January 10, 2008 with the Examiner and her Supervisor. During the interview the differences between Hori and claimed embodiments of the present invention were discussed. The Examiner stated that the claims as presently recited allow her to read the teachings of the Hori reference onto them. Thus, the Examiner requested amendments to the claims that reflect the discussed differences. The Examiner suggested amending the claims to include features directed to the modification of the representative points and the use of a trajectory function. Applicants respectfully submit that independent claims 1, 11, 13 and 14 have been amended to reflect these features.

Prior Art Rejection

The Office Action rejects claim 1-9 and 11-15 under 35 U.S.C. § 102(b) as being anticipated by Hori et al. (EP 1 154 379 A2). This rejection is respectfully traversed.

Applicants remarks regarding the Hori reference filed in the Response dated September 7, 2007 are hereby incorporated by reference.

Independent claims 1, 11, 13 and 14 have been amended to recite the distinct features of deriving a trajectory approximate function for each representative point forming a polygon representation of an image. The

approximate function provides a new location for the representative point which thus provides a new area for the polygon. An error value is then calculated for the respective representative point by calculating the difference in area of the object as represented by the representation point and the area of the object with the representation point replaced by the respective approximate function value.

In contrast, Hori teaches obtaining an approximate function calculating an error value and if the error value is too large, then a new approximate function is derived (paragraph [0076]). The error value is calculated using the equation at column 15, lines 20 to 25. This equation defines the maximum difference between the actual X-component value for a given vertex and the corresponding value according to the approximate function, over the given time range. This represents a change or difference in position, i.e. a one dimensional linear value (X or Y).

Contrary to Hori's teachings, the error value in accordance with the present invention is based on a change or difference in the two-dimensional area of the object, using both the X and Y values of the actual reference point A and the reference point according to the approximate function A'.

Further, the Examiner suggests that paragraph [0335] of Hori which states: "as the error between the actual object region and the predicted object region, a ratio of the area of a common portion to both regions to the area of a part which not common can be used," suggests applicants claimed error calculations. Applicant's respectfully disagree.

In this section of Hori, it refers to determining a ratio based on the overlapping region with the non-overlapping regions of two areas. This paragraph of Hori et al relates to the determination of when a reference region needs to be changed to that of another frame rather than the determination of a representation of the motion of an object in a sequence of images. The

method at paragraph [0335]: "determines whether or not the error between the actual object region in a certain frame and a predicted object region exceeds a preset threshold" and the error is "a ratio of the area of a common portion of both regions to the area of a part which is not common."

Thus, the error described in paragraph [0335] does not relate to a difference of an area of the object as represented by the representative point and the representative point replaced by the respective approximate function value (i.e. a two dimensional quantity). Rather the error is a dimensionless ratio of overlapping and non-overlapping areas of the actual object region and a predicted object region.

Finally, column 9, paragraphs [0027-0029], as referenced to by the Examiner, refer to the approximation of a representation of an image. These teachings refer to initially representing an image object in the form of a polygon or other representation. These paragraphs do not teach or suggest anything with respect to error correction as claimed.

For the reasons set forth above, Claims 1, 11, 13 and 14 are distinguishable from the cited references. Further, claims 2-4, 6-9, 11 and 13-15 are patentable on the basis that they are dependent upon, or incorporate, the method of claim 1, which is novel and non-obvious, for the reasons set out above.

Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Conclusion

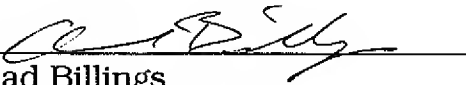
For the reasons above, it is respectfully submitted that claims 1-4, 6-9, 11 and 12-15 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 
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